

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, ET AL.

Plaintiffs,

v.

BRIAN KEMP, ET AL.

Defendants.

**Civil Action File No. 1:17-cv-
2989-AT**

**MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS' MOTION TO
FILE A BRIEF IN EXCESS OF TWENTY-FIVE PAGES**

Plaintiffs respectfully submit this Memorandum of Law in support of their Motion to File a Brief in Excess of Twenty-Five Pages, and respectfully request that the Court enter an order allowing Plaintiffs to file a brief in support of Plaintiffs' Response to Defendants' Motion to Dismiss the Second Amended Complaint in excess of twenty-five pages and not to exceed ninety pages.

ARGUMENT

Defendants have collectively filed four different briefs in support of their Motions to Dismiss the Second Amended Complaint. (Dkt. Nos. 79, 82-1, 83-1, and 84.) These briefs total 109 pages and purportedly incorporate another 107 pages of arguments wholesale from earlier, mooted motions to dismiss (Dkt. Nos.

47, 48, 49, and 50), meaning Plaintiffs had to address 216 pages of arguments in their response to the motions to dismiss.

Further, Defendants Secretary of State Brian P. Kemp, State Election Board, State Election Board Members David J. Worley, Rebecca N. Sullivan, Ralph F. Simpson and Seth Harp, and Merle King (collectively the “State Defendants”) requested (Dkt. No. 78)—and were granted (Dkt. No. 89)—leave to file their brief in excess of twenty-five pages. Plaintiffs, filing just one brief, respectfully request similar leave to file their brief in support of Plaintiffs’ Response to the Motions to Dismiss in excess of twenty-five pages. The Defendants’ briefs make numerous arguments employing complicated legal doctrines in federal and state law, and responding adequately to these arguments necessitates Plaintiffs’ request for additional pages beyond the limit of twenty-five pages as set forth in Local Rule 7.1(D).

CONCLUSION

For the foregoing reasons, Plaintiffs respectfully request that the Court grant Plaintiffs’ Motion to File a Brief in Excess of Twenty-Five Pages and allow Plaintiffs to file a brief in support of Plaintiffs’ Response to Defendants’ Motions to Dismiss Plaintiffs’ Second Amended Complaint that is in excess of twenty-five pages but not to exceed ninety pages.

Dated: October 13, 2017

Respectfully submitted,

/s/ Edward B. Schwartz

/s/ Bryan M. Ward

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CERTIFICATE OF COMPLIANCE

Pursuant to the Local Rule 7.1(D), Plaintiffs certify that this brief has been prepared in 14-point Times New Roman in compliance with Local Rule 5.1(C).

/s/ Edward B. Schwartz

EDWARD B. SCHWARTZ

/s/ Bryan M. Ward

BRYAN M. WARD

PROOF OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorneys of record through the Court's electronic filing service on October 13, 2017.

/s/ Edward B. Schwartz

EDWARD B. SCHWARTZ

/s/ Bryan M. Ward

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